

SENATE BILL 2594

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 59,
Chapter 8, Part 3 and Title 59, Chapter 8, Part 4,
relative to coal surface mining.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 59-8-354, is amended by designating the existing language as subsection (a) and by adding the following new subsections:

(b) In addition to all other requirements for granting a permit in accordance with this part, the department shall conduct a review to determine the cumulative impact of such mining on areas contiguous to the permitted area which are either currently being mined or to be mined within five (5) years of the proposed date for granting the permit.

(c) The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act, including but not limited to the establishment of criteria to determine whether a permit shall be granted based upon the findings of the review conducted pursuant to subsection (b). All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 2. Tennessee Code Annotated, Section 59-8-406, is amended by adding the following language as new, appropriately designated subsections:

() In addition to all other requirements for granting a permit in accordance with this part, the department shall conduct a review to determine the cumulative impact of such mining on areas contiguous to the permitted area which are either currently being mined or to be mined within five (5) years of the proposed date for granting the permit as provided in §59-8-409.

() The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act, including but not limited to the establishment of criteria to determine whether a permit shall be granted based upon the findings of the review conducted pursuant to this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.